IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9924 of 2005

Between:

Mohd.Abbumia S/o Wahid Ali, R/o H.No.16-11-310/4/11, Saleemnagar Colony, Malakpet, Hyderabad.

... PETITIONER

AND

1 The Commissioner, Municipal Corporation of Hyderabad, Tank Bund Road, Hyderabad.
2 Sri I.Venkateswara Rao, S/o late Brahmaiah, R/o H.No.16-11-310/14/6/3, Saleemnagar Colony, Malakpet, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction in the nature of writ of mandamus directing the first respondent herein to initiate action on the complaints made on 18-12-2004 and 14-2-2005 in accordance with the provisions of Municipal Corporations Act and the Byelaws made thereunder to remove the unauthorized construction in the interest of justice.

Counsel for the Petitioner: MR.A.V.SIVAIAH

Counsel for the Respondents: MR.RAMA RAO GHANTA

The Court at the admission stage made the following:

ORDER:

This writ petition is filed aggrieved by the alleged action of the first respondent-Commissioner, Municipal Corporation of Hyderabad, in not considering the complaints made by the petitioner dated 18-12-2004 and 14-02-2005 complaining about certain unauthorized constructions being made by the second respondent at Saleemnagar Colony, Malakpet, Hyderabad.

Having heard the learned counsel for the petitioner, the learned standing counsel appearing for the respondent Corporation and having regard to the nature of the controversy involved in the writ petition, without expressing any opinion as to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent-Commissioner, Municipal Corporation of Hyderabad, to consider the complaints of the petitioner dated 18-12-2004 and 14-02-2005 and pass appropriate orders, in accordance with law, after affording due opportunity to the second respondent to rebut the allegations made by the petitioner, as expeditiously as possible, preferably within a period of four weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

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G. ROHINI, J

Dated: 27-04-2005

LSK

To

1 The Commissioner, Municipal Corporation of Hyderabad, Tank Bund Road,

Hyderabad.
2 Two C.D. copies.